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6 IN THE UNITED STATES DISTRICT COURT
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8 FOR THE NORTHERN DISTRICT OF CALIFORNIA
9

10 UNITED STATES OF AMERICA,

No. CR 14-0306 WHA

11 Plaintiff,

12 v.

13 LUKE BRUGNARA,

**ORDER RE DEFENDANT'S
PRO SE "RULE 36 MOTION
TO CORRECT RECORD"**

14 Defendant.
15 _____/

16 Assuming, without deciding, the undersigned has jurisdiction over defendant's "Rule 36
17 motion to correct record" (Dkt. No. 823), this order **DENIES** the motion inasmuch as it is filed
18 *pro se*, and not by his counsel. Additionally, Rule 36 is for the correction of clerical errors,
19 while defendant purports to raise substantive arguments for reducing his sentence. The proper
20 rule for a motion to reduce a sentence is Rule 35, but that rule only authorizes a sentence
21 reduction "[u]pon the government's motion." The government has made no such motion.
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23 **IT IS SO ORDERED.**
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25 Dated: April 13, 2017.

26 
WILLIAM ALSUP
27 UNITED STATES DISTRICT JUDGE
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